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THE VIRGINIA IDEAL IN CONTRAST WITH THE PRUSSIAN THEORY OF THE STATE

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THE VIRGINIA IDEAL IN CONTRAST WITH THE PRUSSIAN THEORY OF THE STATE

May I at this time say how highly I value the honor of being invited to speak to you at this commencement—a distinction entirely undeserved.

My subject is the Virginian ideal of the State, as contrasted with the Prussian theory of government. By the term, Virginian, I refer to the great thought of Jefferson, that the consent of the governed shall be real and actual. That thus the State may advance in equal step and act by the determination of a convinced and willing popular majority.

In this place and presence, it would be vain to attempt to restate the germinal idea of Jefferson, so new, so bold, and at its original utterance so disconcerting to rank, caste and privilege. His vision was of a finer social order toward which for centuries we shall hardly attain. Fortune and rank were not to be the measure of individual political rights. For everyone's protection all are to take part in setting up a government whose laws all are loyally bound to accept and obey.

To you of Virginia, Jefferson was accepted as the champion of human rights, the reformer of abuses, in short, the prophet of our dawning liberties. But in Massachusetts and in other Eastern States, I am grieved to say that even to his death he was regarded by those of the "standing order," as the disturber of the peace, the violent demagogue, the enemy of all rank and authority. In England his name was coupled with the levelling ideas of the atheistical

France of 1793. Even his national policies were there distrusted as aimed in aid of France, and hence anti-British. Yet amid it all, he went on, composed and serene, laying deeper an abiding foundation for this new state of the Western world.

Living in happiness under this system, we have beheld with deep solicitude a contrary trend in Prussia. In 1848, that fateful year to so many European states, the head of the Hohenzollern house took a step, momentous for his country. The unrest of the time shook every Continental throne. A convention had met at Frankfort on the 31st of March. It summoned a National Constituent Assembly to be chosen by manhood suffrage. This Frankfort Parliament drew up a modern constitution, with an hereditary constitutional Emperor, responsible to a parliament. Frederick William the Fourth of Prussia declined the offer of that crown. This King was a confirmed believer in the "divine right," and fearful of the forces of modern democracy. He was also loyal toward the Hapsburgs, that ancient and decaying house, with its impressive past, that was still the titular head of the so-called Roman Empire. So under the influence of his Junkers at home, and the retrograde ideas of Vienna, the King for himself and the house of Hohenzollern refused to drop fictions, and become a constitutional sovereign over a free enlightened greater Germany. Fearing the excesses of liberalism, terrified by the revolutions about his doors, he chose the separatist Prussian state rather than yield to the risk and turbulence of a German parliament. A distrust of a government working out its will through the tedious struggles of parliamentary debate was not the only dread felt by the advisers of this Sovereign. Prussia had a powerful land-owning aristocracy who then, as now, were intensely jealous

of its class privileges. They scorned to yield any of its comfortable prerogatives to popular demands. So ended the hopeful effort to liberalize north Germany in 1848. The electoral law of April 27, 1849, divided the Prussian electorate into three classes, and confined the voting power to property, or official and professional position. In the resulting election the conservatives revised the 1848 constitution permanently along those reactionary lines. By that determination, a growing modern state deliberately chose to turn backwards and yield to land-owning feudalism. The tendency of its nobility and military class has thus drawn Prussia steadily against the currents of public thought in England, France and especially Italy. Prussian Junkers have been able to dominate the kingdom, except that in recent years, Junker conversatism has found an ally and sometimes a rival in the aggressive manufacturers of Westphalia and West Prussia.

Many great Englishmen, certainly until this war, distrusted democracy, though that opinion was more implied, than openly expressed.

Thomas Carlyle, though starting out as a radical, came to the opposite extreme in praise of force. He lauded strong rulers whose methods savored often of despotic tyranny. His "Life and Letters of Cromwell" appeared in 1845. He vigorously extolled Cromwell, in his swift suppression of the much talking Long Parliament. At every opportunity he there set forth the ways of the strong man in contrast with the average parliamentarian, with his narrow obstructive and time-wasting methods. Cromwell was held up as the ideal centralized executive. His iron rule was in military disregard of representative methods, and in contempt of the democratic theory

of deferring measures until they should first gain popular assent.

Later Carlyle centered his life for a score of years on his magnum opus, the "Life of Frederick the Great of Prussia." The first two volumes appeared in 1858 with succeeding ones coming out in 1862, 1864 and 1865. We Americans know from De Tocqueville and other writers upon our own institutions, how a foreign author may appeal to a people, whose life and political ideals he glorifies. Carlyle's accelerating influence on Prussia has not yet been fully appraised. He set forth that ideal of Prussian enlargement by force of arms with such enthusiastic approval, that his entire biography is dominated by Frederick as a soldier. He has but slight mention of Frederick's undeniable civil reforms. He justified Frederick's policy from the start in that audacious seizure of Silesia, and passed lightly over much of his devious diplomacy. As an offset to the unethical taking of Silesia, Carlyle arrayed the many advantages acquired by Silesia from German occupation, when rigid and exact civil methods supplanted the Austrian laxities of administration.

Early in 1862, Bismarck as premier of Prussia, determined on its expansion by means of conquest. He planned military enlargement in many directions, but first towards an outlet to the sea. His plans not then being acceptable, the house of representatives voted down his proposals for increased taxes. His secret aims he was unwilling to disclose in parliament. So calmly ignoring these parliamentary defeats, he continued year after year to levy the illegal taxes in spite of the protests of the liberals. Prussia had no Supreme Court to stay such encroachment. To turn people from this defiance of the constitution, Bismarck then used the politician's old expedient—the

recourse to a strong foreign policy. This led to the aggressions upon Denmark in 1864 to 1866, by which Prussia took Schleswig Holstein and rounded off her Baltic territory. Then parliament faced about, and, in the triumph of conquest proceeded to ratify the taxes already imposed and paid. We know the short and decisive war waged against the Austrian power. And twenty years after has come out to the world the cynical revelation how the alteration of the Ems' dispatch, which Bismarck and Molke contrived, adroitly precipitated a declaration of war from France, in which neutrals might see Prussia as the country attacked.

For nearly fifty years, we adherents of the Virginia idea, have had before us the impressive spectacles of the growth and prosperity of Germanic institutions working on lines laid down and minutely dictated by the sovereign proclaiming a divine right which it became impious for the subject to question.

Yet with this ideal of a state thus controlled directed and minutely regulated, we have witnessed surprising results and primarily in a state-wide inclusive system of common education. Matthew Arnold, fifty years ago, put words in the mouth of his imaginary Prussian Arminius, that their education

> "means, that to ensure, as far as you can every man's being fit for his business in life, you put education as a bar or condition between him and what he aims at. The principle is just as good for one class as for another, and it is only by applying it impartially that you can save its application from being insolent and invidious. Our Prussian peasant stands our compelling him to instruct himself before he may go about his calling, because he sees we believe in instruction, and compel our own class, too, in a way, to make

it really feel the pressure to instruct itself before it may go about its calling."[1]

For the needs of labor came a well organized scheme of relief in the system of Workmen's compensation and pensions for the sick and aged, which we are copying in our industrial communities.

However, our survey of Prussia calls for deeper questions.

Does the central power show a faithful adherence to its own laws? Does it submit to constitutional limitations?

Here we may go back to Carlyle's amusing story of Emperor Sigismund at the Council of Constance. In his attempted Latinity that august ruler admonished the cardinals to abolish *schisma,* using it as feminine. When a cardinal reminded him "Domine schisma est generis neutrius," the emperor calmly replied "ego sum rex Romanorum et super grammaticam!"

At that same Council, Emperor Sigismund did more than break the rules of grammar. You will recall that on his Imperial safe conduct Johann Hus from Bohemia had come to the Council. This Emperor broke his pledged word and left Hus to be executed.

Although Sigismund was not a Prussian, the high officials of that country have shown a fondness for the word "super" as allowing them to override the law. At a pinch they break the letter of their laws, by resorting to what they call a law of necessity, *Notrecht,* which conveniently helps them out.

Here in America we forget that in 1914 Germany was theoretically under the written constitution of 1871. In it were embodied many solemn bounds

[1] Friendship's Garland, Letter VII, ed. 1898, p. 266.

against absolutism. But in spite of these paper barriers, the Prussian State has grown into what a recent writer calls "an absolute power, responsible to no one, with no duties to its neighbors, and with only nominal duties to a slightly subordinate God."[2]

Article Eleven of the German constitution declares:

"The consent of the Federal council is necessary for the declaration of war in the name of the Empire, unless an attack on the territory or the coast of the confederation has taken place."

In attacking France and Russia without having summoned the Federal council, the Emperor violated the constitution. Can we doubt that such a council would have checked the impetuous war party at Potsdam? It cannot be maintained that the Kaiser acted upon any alleged compulsion from Austria, with whom the treaty of alliance had been made purely defensive. Some of his apologists offer the lame excuse that France had opened hostilities by her aeroplanes flying over the German border. Others however more boldly declared that French troops had already actually crossed the frontier. None of these pleas have been proved. Some day it will be shown that the declaration which has plunged all the world into war, came from this unconstitutional fiat.

Here then is the outcome of that theory of the Prussian high control.

Behind this sinister attitude we may discern the egoism of the "superman," who is above restraints of law, human and divine. Its justification, excuse or palliation, is in the *naive* plea of its own wants and necessities.

As civilized war becomes unfavorable on the sea, this state turns back to the usages of the uncivilized.

[2] The War of Ideas, p. 7, London, 1917.

By warring upon merchant vessels, Prussia reverts to the piratical methods which civilization long ago banned from the wider paths of commerce, and which remained for the Barbary corsair and Malay pirate.

At such departure from the *jura belli,* the outside world has looked with horror. It has not only recorded the treatment of Belgium and the civil population of the French occupied territories. It has also beheld the wholesale massacre of unresisting Armenians attended with atrocities that cannot be publicly described.

Here we have the fruitage of the Prussian political ideal. If we trace back this foul manifestation to its deeper source, shall we not find that it comes from an inner sense of superiority, perhaps insidious in its claim, but still an assertion of mastery over one's fellow men—a claim that assumes that only we and our caste are fit to rule; and you peasant subjects are to humbly obey and realize the greater destiny we have planned to achieve by iron, and by your blood.

On this arrogancy is reared a state that demands to impose its *kultur* over its neighbors. And when they decline, it professes surprise at their want of appreciation of this offer. But the evil of this attitude is more than international. The inward effect of mental arrogance is perhaps its worst consequence. The Prussian spirit has alienated foreign lands, negatived her diplomacy, and appears now to cloud her future commerce, just as Prussian attempts to colonize have always suffered from the hard, cruel methods, and the inability to enter into the life of the native under its forced rule.

Leaving public policy, and coming to speak of individuals, is it not eternally true that the chief foe of peace, and greatest hindrance to our personal well

being is this spirit of pretension? Such a claim of intellectual, financial or social superiority has divided and disturbed communities. Most odious is it in matters of religion, where it often betrays the strange weakness of its possessors.

In the world over, can you find a greater contrast than that of the Prussian ruler, pretending by divine power to dominate Europe, and the patient magnanimity of Jefferson, perhaps when in office, the most bitterly assailed of all our Presidents?

If there be an intimate and necessary relation between the spirit of pretension and the Prussian arrogant manners, we may be permitted to refer the youth of today to Jefferson's avoidance of such social claims. The simplicity of his public conduct before the delivery of the great inaugural in 1801 is known to every schoolboy. On that day he went forth for that ceremony from Conrad's plain boarding house on Capitol Hill, where by preference he always sat at the foot of the long table of thirty boarders.

If we may compare military men, where have we seen among German war heroes the name that may for a moment compare with those of Lee and Jackson? Can I add anything to the tributes to General Lee, that Southern commander who stood *primus inter illustres?* As time goes on, Lee's character, pure, flawless and exalted, even transcends his military triumphs. Jackson's personal life was so modest and free from every pretension that his brilliancy in the field came as a fine surprise. But it was no secret to those who witnessed and shared the inspiration he imparted.

An American of the North as well as of the South can treasure the memory of the two commanders whose tombs have made this Lexington sacred, as

the first blood of the Revolution has hallowed the Lexington of Massachusetts.

Should we be asked to compare an active political leader of America with those who have been directing the policies of Prussia, then I cannot present to this company a better subject than a former President of this University, William Lyne Wilson—whom I may call a man of my own day. By his unselfish efforts he gave incentives and a pattern writ large to the young man who may enter politics. From college life, he served in the Confederate army. Next he was Latin professor. It was, however, from West Virginia that he entered Congress. His life seems happily to have alternated between a University and high political trusts. Could an intellectual leader like him have a more rich and fruitful career than in such an interchange of activity? To have seen and listened to him, as has been my good fortune, was to feel his intense earnestness. He brought to his country's call, every power, even to the sacrifice of health and life. He was not the man of a "fugitive and cloistered virtue, unexercised and unbreathed." I cannot omit to mention the inspiring address he gave twenty-five years ago this July at the Chicago National Democratic Convention. His was the appeal, the key note, that lifted that assembly to new purposes. I might speak of his brilliant service in Congressional debate. It was his zeal that almost cost him his life, when he had charge of that revenue measure known as the Wilson Bill. In every high post he put forth the same devotion, with the unselfish purpose to give himself unsparingly to what he felt for the highest good.

The young men of this University are highly privileged. By associations daily renewed, their endeavors may be linked with the memory of inspir-

ing leaders. The successors in the direction of this University are uplifted to carry on the tasks by the examples of those who left the public arenas for more enduring service in the classroom.

But the advocates of the Prussian ideal of the state —the believers in a personal central regnant figure, point to the partisanship of a democracy. Often our party strife has not spared the President. We are not awed by sight of imperial majesty. They charge that in the nature of things we must fail in attaining the last and finest touch in the thrill of devotion to a crowned central executive and fountain of honor.[3] This may be a real loss. We cannot deny how party feeling often divides us. We were not reared in the inherited fealties of old Japan where in 1869 the loyal daimios surrendered political power and their property revenues to the Mikado—then assuming his full sovereignty—with these touching acknowledgments of their submission and dependence:

"Our dwelling place is the Emperor's land. The food which we eat is grown by the Emperor's men. How can we call it our own? We now reverently offer up the list of our possessions and men, with the prayer that the Emperor will take good measures for rewarding those to whom reward is due, and punishing those to whom punishment is due. Let the civil and criminal codes, the military laws, all proceed from the Emperor. Let all affairs of the Empire great and small be referred to him." It ended with the expression that "with fear and reverence we bow the head, and do homage, ready to lay down our lives in proof of our faith."[4]

[3] It is by the superior goodness that medievalism ascribed to the king that he is above human laws and all constitutional restraints:

"Quid enim opus est prescribere illi, qui suapte sponte praestat meliora quam exigunt humanae leges? Aut quae temeritas sit illum hominem constitutionibus adstringere quem certis argumentis constat divini spiritus afflatu gubernari?" Erasmus, Convivium Religiosum, in Coll. Familiaria, ed. 1712, p. 149.

[4] Redesdale's Memories, vol. 2, p. 475-476.

History has since shown how sincere and loyally the subjects of the Mikado fulfilled this pledge.

But are Americans today divided? Has partisanship blinded us to duty? How nobly has the defeated party dropped its opposition? Who has spoken of the sacred obligation to go forward in this war for freedom with more kindling patriotic fire, than Justice Hughes? President Wilson today leads a nation one in spirit and purpose—for the first time in its history. And it is most fitting that it is from his great and simple words that the ideals of Virginia, of Jefferson, and of the United States as a whole, have gone forth to all the world.

To you who are soon to be called to the supreme duty of patriotism, to defend the state by force of arms, and if need be, to offer up your young lives on the altar of freedom and justice, I must recall an ancient instance from your classical studies. When you read Plato's Apology and the Crito, the detailed story of Socrates' sayings in his last days seemed far off and unreal. Perhaps it then had little present appeal. But to you who are summoned to fight in behalf of the country, I may recall Plato's idea of the citizen's duty to his state. In the Apology, Socrates, speaking of his sense of right in the matters charged against him alludes modestly to his military record. He makes this comparison:

"Strange indeed would be my conduct, O men of Athens, if I who when I was ordered by the generals whom you chose to command me, at Potidæa and Amphipolis and Delium, I remained where they placed me like any other man, facing death, if I say now, when as I conceive and imagine God orders me to fulfill the philosopher's mission of searching into myself and other men, I were to desert my post through fear of death, or any other fear; that would

indeed be strange." The duty to obey conscience is as imperative as to obey a general and hold a military post. Here the individual is represented as standing out against the supposed law of the State. Under that idea how many misguided ones have wrongly violated the law? To go to the point of resistance has been a frequent excess of individualism in a democracy!

Fortunately, however, Plato did not leave this as Socrates' last word on civic and patriotic duty. In the Crito he sets forth the obligation of obedience even unto death. On that last day, Crito and other friends visit the prison and tell Socrates they have arranged an escape. He declines. He gives reasons which evince submissive loyalty even when the state may be wrong. Incidentally he casts a fine sidelight on the reverential affection of Greek children towards their parents. The discussion reached its summit when the "laws," meaning also the institutions of Athens, are personified, and are thus interlocutors in the perfect form of Plato's dialogue. They say to Socrates that by them he has been nurtured and educated; and to these institutions, as to his earthly parents, he owes his life. He brings out the high thought, perhaps better than anyone else, that to flee away, to disobey, is to do violence to the laws themselves. Every evasion or disobedience of law is an act tending to destroy the authority and hence the enforcement of the law, which is its very life. The laws, thus personified, ask if Socrates had "failed to discover that our country is more to be valued and higher and holier far than mother or father, or any ancestor, and more to be regarded in the eyes of the gods, and of men of understanding? also to be soothed and gently and reverently entreated when angry, even more than a father, and

either to be persuaded, or if not persuaded, to be obeyed. And when we are punished by her, whether with imprisonment or stripes, the punishment is to be endured in silence; and if she lead us to wounds, or death in battle, thither we follow as is right. Neither may any one yield or retreat or leave his rank, but whether in battle or in a court of law, or in any other place, he must do what his city and his country order him, or he must change their view of what is just; and if he may do no violence to his father or mother, much less may he do violence to his country."

Feudalism does homage to a man. The idea of the American scholar should be to render as fervent homage to the laws and institutions of his land. Where the law calls he must go. Without obedience to law no system of government can endure. And in this obedience can be best illustrated to our day and generation the Virginia ideal.

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